

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

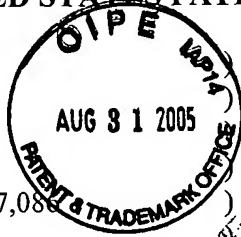
In re application of:

Avi J. ASHKENAZI, et al.

Application Serial No. 10/017,088

Filed: October 24, 2001

For: **SECRETED AND
TRANSMEMBRANE
POLYPEPTIDES AND NUCLEIC
ACIDS ENCODING THE SAME**



Examiner: O'Hara, Eileen B.

Art Unit: 1646

Confirmation No: 4093

Attorney's Docket No. 39780-2630 P1C64

Customer No. 35489

**DECLARATION OF AUDREY GODDARD, Ph.D., PAUL J. GODOWSKI, Ph.D.,
AUSTIN GURNEY, Ph.D., MARGARET A. ROY
AND WILLIAM I. WOOD, Ph.D. UNDER 37 C.F.R. §1.131**

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

We, Audrey Goddard, Ph.D., Paul J. Godowski, Ph.D., Austin Gurney, Ph.D., Margaret Roy and William I. Wood, Ph.D. declare and say as follows:

1. We are the inventors of the above-identified application.
2. We have read and understood the claims pending in this application, and are aware that the claims have been rejected as anticipated by U.S. Patent No. 6,476,195 (Komatsoulis *et al.*, priority date July 30, 1998).
3. The polypeptide designated as PRO274 (SEQ ID NO:7) claimed in the above-identified application in the United States was cloned and sequenced, and identified as having homology to 7 transmembrane segment receptor proteins and the Fn54 protein prior to July 30, 1998.
4. U.S. Provisional Application Serial No. 60/082,700, filed on April 22, 1998, discloses sequences designated as SEQ ID NO:1 and SEQ ID NO:3, which are identical to SEQ ID NO: 6 and SEQ ID NO: 7, respectively, of the above-identified application.

5. U.S. Provisional Application No. 60/082,700 filed on April 22, 1998 further discloses that SEQ ID NO:3, corresponding to SEQ ID NO:7 of the above-identified application, has homology to the 7 transmembrane segment receptor proteins and the Fn54 protein.

6. U.S. Provisional Application No. 60/082,700 filed on April 22, 1998 further discloses multiple fragments of the nucleic acid sequence of SEQ ID NO:1, corresponding to SEQ ID NO:6 of the above-identified application, as shown in Figures 3 and 4.

7. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information or belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

Audrey Goddard, Ph.D.

Date

Paul J. Godowski, Ph.D.

Date

Austin Gurney, Ph.D.

Date

Margaret A. Roy

Date

William I. Wood, Ph.D.

Date

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